



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q76105

Hirohiko TSUZUKI, et al.

Allowed: March 27, 2007

Appln. No.: 10/612,955

Group Art Unit: 1657

Confirmation No.: 4760

Examiner: Satyendra K. SINGH

Filed: July 7, 2003

For: CARRIER FOR CELL CULTURE

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

**ATTN: MAIL STOP ISSUE FEE**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant offers the following comments in response to the Examiner's Statement of Reasons for Allowance set forth on page 2 of the Notice of Allowability dated March 27, 2007.

The Examiner states that method claim 16, previously withdrawn from consideration as a result of a restriction requirement, is rejoined. At page 2 of the Examiner's Amendment/Comment, the Examiner states:

"because all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, the restriction requirement as set forth in the Office action mailed on July 12th 2005 is hereby withdrawn. In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claims including all the limitations of an allowable product claim or rejoined process claim are presented in a continuation or divisional application, such claims may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In Re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01."

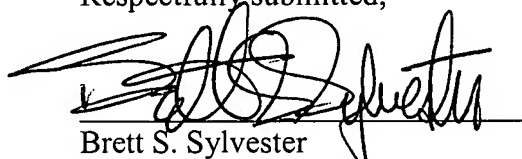
**STATEMENT OF REASONS FOR ALLOWANCE**  
**U.S. Application No.: 10/612,955**

**Attorney Docket No.: Q76105**

The Office is incorrect. Only claim 16 is rejoined. Claims 1-9 (Group I); claims 10 and 11 (Group III); and claim 20 (Group V) were also withdrawn as a result of a restriction requirement and have not been rejoined.

Patent Office personnel are requested to note that the present submission does not adversely affect the patent term adjustment accrued by the Applicant to date. As emphasized in the "Clarification of 37 C.F.R. §1.704(c)(10) – Reduction of Patent Term Adjustment for Certain Types of Papers Filed After a Notice of Allowance Has Been Mailed," 1247OG111 (6/26/01), "a response to the examiner's reasons for allowance" is an example of a paper that does "not cause substantial interference and delay in the patent issue process" and is "not considered a 'failure to engage in reasonable efforts' to conclude processing or examination of the application." Therefore, the Applicant remains entitled to the full patent term adjustment set forth on page 3 of the Notice of Allowance dated March 27, 2007.

Respectfully submitted,



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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: June 27, 2007